

**CALIFORNIA DEPARTMENT OF CHILD SUPPORT SERVICES**

P.O. Box 419064, Rancho Cordova, CA 95741-9064



August 15, 2001

CSSIN LETTER No. 01-26:

TO: ALL IV-D DIRECTORS  
ALL DISTRICT ATTORNEYS  
ALL COUNTY ADMINISTRATIVE OFFICERS  
ALL BOARDS OF SUPERVISORS  
HOLDERS OF THE DCSS REGULATIONS MANUAL

SUBJECT: MANUAL OF POLICIES & PROCEDURES (MPP) UPDATE TO  
INCORPORATE CHANGES FROM THE PROGRAM ADMINISTRATION  
& COMPLAINT RESOLUTION EMERGENCY RULEMAKING  
NO. R-1-01-E

The Department of Child Support Services (DCSS) has begun the process of readopting the entire body of its governing regulations. The process will require the repeal of all DCSS regulations currently existing in the Department of Social Services Manual of Policies and Procedures (MPP), and the adoption of a new set of DCSS regulations into Division 13 of Title 22 of the California Code of Regulations. The first rulemaking adopted the framework for all of Division 13, as well as substantive regulatory text in portions of Chapters one and ten.

This rulemaking establishes program administrative functions in the areas of records management and retention and creates an ombudsperson program. It also establishes local complaint resolution and state hearing processes.

The new regulations adopted into Division 13 of Title 22 of the California Code of Regulations will not be added to the DCSS Regulations Manual as the manual is being phased out. Division 13 of Title 22 of the California Code of Regulations may be viewed at the Office of Administrative Law's website at [www.ccr.oal.ca.gov](http://www.ccr.oal.ca.gov).

Reason for this Transmittal

- ☒ State Law or Regulation Change
- ☐ Federal Law or Regulation Change
- ☐ Court Order or Settlement Change
- ☐ Clarification requested by One or More Counties
- ☐ Initiated by DCSS



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[www.childsup.cahwnet.gov](http://www.childsup.cahwnet.gov)

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MPP Section 12-303 regarding record retention was repealed effective July 1, 2001 as part of the rulemaking, as new regulations were adopted. Revised pages are enclosed for replacement in accordance with the following instructions.

Remove Old Page(s)

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Insert New Page(s)

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If you have any questions or concerns regarding this matter, please contact Lucila Ledesma, Regulations Coordinator at (916) 464-5087.

Sincerely,

LEE MORHAR  
Chief Counsel

Enclosure

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**CHILD SUPPORT PROGRAM  
CASE CLOSURE**

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CHAPTER 12-300 CASE CLOSURE**

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**12-302 CASE CLOSURE CRITERIA (Continued)****12-302**

- (3) The absent parent refuses to stipulate to a reimbursement order.
  - (4) Court ordered reimbursement cannot reasonably be expected to exceed \$1,000.
- (m) The custodial parent has moved to another county or state and both of the following apply:
  - (1) The custodial parent applied for services in the other county or state.
  - (2) The local child support agency documents in the case file that contact was made with the other county or state to confirm that the custodial parent has applied for services in the other county or state, or, in the case of an intercounty transfer, to confirm that the case has been transferred.
- .2 The local child support agency shall notify the custodial parent of the Title IV-D agency's intent to close the case.
  - .21 Notice of case closure to the custodial parent need not be provided for cases closed under Sections 12-302.1(g), .1(h), or .1(i).
  - .22 When cases are being closed under Sections 12-302.1(h), (j), or (k) and the non-CalWORKs custodial parent is receiving TCC, the local child support agency shall notify the Title IV-A agency about the cases being closed.
- .3 Notice of case closure shall be sent in writing 60 calendar days prior to closing the case.
  - (a) The notice of intent to close the case must provide, at a minimum, the following information:
    - (1) The reason why the case is being closed.
    - (2) The circumstances under which the case could be reopened, such as new information regarding the absent parent's location.

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<b>12-302</b>	<b>CASE CLOSURE CRITERIA (Continued)</b>	<b>12-302</b>
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- (3) A telephone number and address where questions concerning the case closure notice can be directed.
- (b) The case shall be kept open if the custodial parent responds to the closure notice with information that could lead to the establishment of paternity or a support order or enforcement of an order.
- (c) The case shall remain open if contact is re-established with the custodial parent in the instance of Section 12-302.1(j).
- .4 The case shall be considered for reopening at a later date if the custodial parent requests that the case be reopened and can provide information that could lead to the establishment of paternity or a support order or enforcement of an order.
- .5 Child support services shall continue after aid is terminated until the recipient notifies the local child support agency that he/she no longer desires the services.

NOTE: Authority cited: Sections 10554, 11475 and 11479.5, Welfare and Institutions Code. Reference: 45 CFR Sections 302.33(a)(4), 302.35(c)(3), 303.3(b)(5), 303.11(b)(1) through (b)(12), and (c); Sections 11350 and 11479.5, Welfare and Institutions Code; Federal Register, Vol. 54, No. 149, dated August 4, 1989, page 32304, comments b.3, b.4 and c.2 and page 32306, comment k; Federal Register, Vol. 54, No. 98, dated May 23, 1989, page 22328, first column, second paragraph; Sections 4700(c) and 7006(a)(1), Civil Code; and Office of Child Support Enforcement letter dated November 3, 1989.

<b>12-303</b>	<b>RECORD RETENTION</b>	<b>12-303</b>
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Repealed by regulation package R-1-01E, effective 7/1/01.

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